THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION No.23850 OF 2006

Between:

Asghari Begum, R/o 19-2-229/A/74, Nawab Sahab Kunta, Hyderabad.

...

Petitioner

AND

1.The Station House Officer, Kalapathar Police Station, Hyderabad, and one another.

....Respondents

THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

WRIT PETITION No. 23850 OF 2006

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R. VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a "Telegram", dated 12.11.2006, sent by one Asghari Begum, R/o 19-2-229/A/74, Nawab Sahab Kunta, Hyderabad, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that her minor son, aged about 17 years, is illegally detained by the police of Kalapathar, Hyderabad; that they are abusing the petitioner in filthy language and are demanding huge sum for the release of her son, and that she is apprehending danger to the life of her son.

3. Upon receipt of notice, issued by this Court, the Inspector of Police, Kalapathar Police Station, Hyderabad, filed a counter affidavit stating, *inter alia*, that the alleged detenu is not required in any of the cases, pending in Kalapathar Police Station and therefore, there is neither necessity nor any occasion to apprehend the alleged detenu by the said police.

4. However, upon enquiry caused with the neighbouring police station viz., Charminar Police Station, it came to light that the alleged detenu was apprehended by the police, Charminar Police Station, in connection with a case in Crime No.59 of 2006 registered for the offence punishable under Section 379 IPC, on the basis of complaint by one Younus Bin Abdul Rahman. During the course of investigation, statement of the complainant was also recorded. Further, the alleged demand of huge money for the release of the alleged detenu is denied inasmuch as the arrest was made by the police, Charminar Police Station, but not the Police of Kalapathar. It is also brought to the notice of this Court that upon arrest by the Sub

Inspector, Charminar Police Station, the alleged detenu was produced before the Chief Metropolitan Magistrate, Nampally, Hyderabad, on the same day i.e. on 14.11.2006, who remanded the alleged detenu to judicial custody and, as of now, the alleged detenu is lodged at Central Prison, Chenchalguda, Hyderabad.

5. In view of the revelations in the counter affidavit, we do not find any merit in the Writ Petition and the same is liable to be closed.

6. Accordingly, the Writ Petition is closed, at the stage of admission. However, there shall be no order as to costs.

_____

D.S.R.VARMA, J

_____

P. SWAROOP REDDY, J

Dated: 24.11.2006

KA/KRK